IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

Crl.Rev.Pet.No. 1075 of 2007

CRA.105/2005 of ADDL. SESSIONS COURTS (ADHOC), MAVELIKKARA
CC.556/2003 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHENGANNUR
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REVN. PETITIONER: APPELLANT/ACCUSED

RAMAKRISHNA PILLAI,
AGED 69 YEARS, S/O.NARAYANA PILLAI,
RENUKA BHAVANAM, THIRUVANVANDOOR MURI,
THIRUVANVANDOOR VILLAGE.

BY ADV. SRI.P.JACOB VARGHESE
SRI.V.MANOJ KUMAR

RESPONDENTS: COMPLAINANT
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1. N.VIJAYAN, VAZHATHEKKATTIL VEEDU,
THURUTHIMEL MURI, CHERIYANADU VILLAGE.

2. STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

R2 BY PLUBLIC PROSECUTOR MR. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.1075 of 2007

DATED THIS THE 12th Day of March 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of three months and to pay a compensation of Rs.1,00,000/- to the complainant under Section 357 (3)Cr.P.C. and in default to undergo simple imprisonment for one month. Counsel for the revision petitioner has sought for reducing the amount of compensation pointing out that the cheque amount is Rs.97,200/-. I find no reason to reduce the amount of compensation as the cheque is dated 10-6-2003. In the circumstances the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.1,00,000/- with default sentence as ordered by the courts below. The revision petitioner is granted six months time to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate-I, Chengannur on 12-9-2007 to receive sentence. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

ks.

ks.